

BUREAU OF INTERNAL AFFAIRS
Investigations Division
General Investigations Section

5 September 2012

LOG #1049934

TO: Commanding Officer
Investigations Division
General Investigations Section

FROM: Sergeant Joseph Maraffino #2563
Investigations Division
General Investigations Section

SUBJECT: Approval of Complaint Log Investigation #1049934

The attached Complaint Log Investigation has been completed and is submitted for your approval.



Sergeant Joseph Maraffino #2563
Investigations Division
General Investigations Section

Approved:



Case Management Supervisor
Investigations Division
General Investigations Section

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO

1049934

TYPE

CR

DATE OF REPORT

06-SEP-2012

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: DEPUTY SUPERINTENDENT, BUREAU OF PROFESSIONAL STANDARDS
ATTENTION: CHIEF, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
MARAFFINO, JOSEPH	9171	2563	[REDACTED]	121	

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: [REDACTED]	DATE / TIME: 10-NOV-2011 11:11	BEAT: 113
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ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY?	SWORN ?
RIVERA, RICARDO	9171	943	[REDACTED]	116		M / S	[REDACTED]	02-DEC-1991	YES	YES

REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
SCHMIT, SUSAN	RANK: 9173,STAR NO: 220, EMP NO: [REDACTED]			F / WHI	[REDACTED] / 54

VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE

WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

Complaint Log type is classified as CR, sworn affidavit not required

ALLEGATION: It is alleged that on 10 November 2011 the accused was arrested for "Contempt of Court" at the [REDACTED].

SUMMARY

Upon receiving this assignment for investigation the undersigned reviewed the Initiation Report that was submitted by Lt. Susan Schmidt of the Deployment Operations Center. In that report Schmidt relates that she received a phone call from the accused, Sgt. Ricardo Rivera #943, stating that he was attending a Divorce Court Hearing regarding his divorce. The accused then related that the judge threatened to hold him in contempt of court regarding a property issue. Later the accused called back and stated that he was arrested by the Cook County Sheriff's Police for Contempt of Court.

Sgt. Daniel Mahoney of BIA was dispatched to the Daley center to speak with the accused and relieve him of his police powers. Sgt. Mahoney ordered the accused to report to BIA on 14 November 2011 with any paperwork from the court and his equipment.

The Complimentary and Disciplinary Histories are attached for this case.

Based on the fact that the accused, Sgt. Ricardo Rivera, and the Chicago Police Department came to an agreement, this case was mediated with a SUSTAINED finding.

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
0	0	0	9

FINDINGS - RECOMMENDATIONS

FINDINGS:

Accused: Sgt. Ricardo Rivera #943, employee [REDACTED], assigned to Unit 116

Allegation: SUSTAINED-Violation of Department Rule #7, "Insubordination/Disrespect to a supervisory member on /off duty," in that on 09 September 2011 at approximately 0600 hours at 11606 S. May St. the accused, P/O James Norwood III, was disrespectful to a supervisor.

RECOMMENDATION: Based on the "SUSTAINED" findings of the investigation, the time of day the incident took place, and after reviewing the Complimentary and Disciplinary Histories of the accused, it was mediated that the accused, Sgt. Ricardo Rivera #943, employee [REDACTED], be given a **VIOLATION NOTED**.

DATE INITIATED
(Date incident was received for investigation)

17-NOV-2011

DATE COMPLETED (Date of this report)

06-SEP-2012

ELAPSED TIME
(Total time expressed in days)

294

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

Sgt. J. Myle #2563

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

Attachments

[Add Attachment](#)

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?	Comments
View	1 FACE SHEET		N/A			WOLFE, DIANE	10-NOV- 2011 12:46	[EDIT]			
View	2 CONFLICT CERTIFICATION		N/A			MARAFFINO, JOSEPH	21-NOV- 2011 19:26	[EDIT]			
View	3 SWORN AFFIDAVIT FROM COMPLAINANT		N/A	1		YES	MARAFFINO, JOSEPH	06-SEP- 2012 21:53	APPROVED [EDIT]	YES	
View	4 INITIATION REPORT		N/A	1	LT. SCHMIT #220	NO	WOLFE, DIANE	10-NOV- 2011 14:02	APPROVED [EDIT]	YES	
View	5 IAD SYNOPTIC REPORT		N/A	2	Synoptic and Duty Restriction Form	YES	MARAFFINO, JOSEPH	06-SEP- 2012 22:20	APPROVED [EDIT]	YES	
View	6 COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS)		N/A	1	Bond Slip	YES	MARAFFINO, JOSEPH	06-SEP- 2012 22:27	APPROVED [EDIT]	YES	
View	7 COMPLIMENTARY HISTORY		N/A	1		YES	MARAFFINO, JOSEPH	06-SEP- 2012 23:02	APPROVED [EDIT]	YES	
View	9 REPORT (OTHER)		N/A	1	Mediation Agreement	YES	MARAFFINO, JOSEPH	06-SEP- 2012 23:01	APPROVED [EDIT]	YES	